

# **EXHIBIT 8**

**FREEDOM COURT REPORTING**

Page 1	Page 3
<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE MIDDLE DISTRICT OF ALABAMA 3 EASTERN DIVISION 4 5 LORI ANN MORRIS, ) 6 Plaintiff, ) 7 vs. ) CASE NUMBER: 8 FLORIDA TRANSFORMER, ) 3:05-CV-962-T 9 EDWARD NEAL THOMPSON, ) 10 et al., ) 11 Defendants. ) 12 13 DEPOSITION OF EDWARD NEAL THOMPSON 14 In accordance with Rule 5(d) of 15 The Alabama Rules of Civil Procedure, as 16 Amended, effective May 15, 1988, I, Cindy 17 Weldon, am hereby delivering to Henry L. 18 Penick, the original transcript of the oral 19 testimony taken on the 14th day of July, 20 2006, along with exhibits. 21 Please be advised that this is the 22 same and not retained by the Court Reporter, 23 nor filed with the Court.</p>	<p>1 AGREED that the signature to and the reading 2 of the deposition by the witness is waived, 3 the deposition to have the same force and 4 effect as if full compliance had been had 5 with all laws and rules of Court relating to 6 the taking of depositions. 7 IT IS FURTHER STIPULATED AND 8 AGREED that it shall not be necessary for 9 any objections to be made by counsel to any 10 questions, except as to form or leading 11 questions, and that counsel for the parties 12 may make objections and assign grounds at 13 the time of trial, or at the time said 14 deposition is offered in evidence, or prior 15 thereto. 16 IT IS FURTHER STIPULATED AND 17 AGREED that notice of filing of the 18 deposition by the Commissioner is waived. 19 20 21 22 23</p>
Page 2	Page 4
<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE MIDDLE DISTRICT OF ALABAMA 3 EASTERN DIVISION 4 5 LORI ANN MORRIS, ) 6 Plaintiff, ) 7 vs. ) CASE NUMBER: 8 ) 3:05-CV-962-T 9 FLORIDA TRANSFORMER, ) 10 EDWARD NEAL THOMPSON, ) 11 et al., ) 12 Defendants. ) 13 14 S T I P U L A T I O N 15 IT IS STIPULATED AND AGREED, by 16 and between the parties through their 17 respective counsel, that the deposition of 18 EDWARD NEAL THOMPSON, may be taken before 19 Cindy Weldon, Certified Shorthand Reporter, 20 Commissioner and Notary Public, at 732 North 21 9th Street, DeFuniak Springs, Florida, on 22 July the 14th, 2006 at 1:15 p.m. 23 IT IS FURTHER STIPULATED AND</p>	<p>1 A P P E A R A N C E S 2 3 FOR THE PLAINTIFF: 4 MR. HENRY L. PENICK 5 THE PENICK BUILDING 6 319 - 17TH STREET NORTH, SUITE 200 7 BIRMINGHAM, ALABAMA 35203 8 9 FOR THE DEFENDANT: 10 MR. RICHARD BROUGHTON 11 2000 INTERSTATE PARK DRIVE 12 SUITE 204 13 MONTGOMERY, ALABAMA 36109 14 15 ALSO PRESENT: 16 MR. FRANKLIN SCOTT SEAY 17 18 19 20 21 22 23</p>

1 (Pages 1 to 4)



## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 33</p> <p>1 anything about that one.</p> <p>2 Q. Okay. Is there anything on your</p> <p>3 report that's incomplete or incorrect?</p> <p>4 MR. BROUGHTON: You mean does he</p> <p>5 dispute any of the information on that</p> <p>6 report?</p> <p>7 Q. Or is there anything that's</p> <p>8 omitted from this report that you know</p> <p>9 about?</p> <p>10 A. To the best of my knowledge,</p> <p>11 that's -- The wreck I had with Dart is not</p> <p>12 on here.</p> <p>13 Q. Okay. Let's talk about that. Was</p> <p>14 Dart the next place you went after McLane's?</p> <p>15 A. Yes, sir.</p> <p>16 Q. Just so we can make sure about</p> <p>17 McLane's before moving on, you didn't have</p> <p>18 any accidents or infractions?</p> <p>19 A. No, sir.</p> <p>20 Q. Nobody asked you to leave?</p> <p>21 A. No, sir.</p> <p>22 Q. Then tell me about your next</p> <p>23 episode with Dart.</p>	<p style="text-align: right;">Page 35</p> <p>1 Q. All right. Where were you being</p> <p>2 dispatched out of?</p> <p>3 A. Minneapolis, Minnesota.</p> <p>4 Q. Did they have a physical location</p> <p>5 here that you operated under at all?</p> <p>6 A. No, sir. Just satellite. Tell</p> <p>7 you where to go to get your next load at.</p> <p>8 Q. Okay. And then you said that</p> <p>9 sometime while driving for them, you got in</p> <p>10 an accident?</p> <p>11 A. It was in -- let's see. I believe</p> <p>12 it was -- may have been June 2004.</p> <p>13 Q. What do you recall about that</p> <p>14 accident?</p> <p>15 A. I was in Nashville, Tennessee</p> <p>16 coming across Interstate 40 and they was --</p> <p>17 you get on the ramp where cars get back on</p> <p>18 the interstate, and there was two cars</p> <p>19 coming back out to the interstate.</p> <p>20 I slowed down to let them get</p> <p>21 ahead of me. The first car pulled over in</p> <p>22 front of me. The second car went around the</p> <p>23 first car and speeded up.</p>
<p style="text-align: right;">Page 34</p> <p>1 A. Went to work with Dart sometime in</p> <p>2 -- I can't remember exactly. I think it</p> <p>3 was 2004, the first part of 2004. I went to</p> <p>4 work to -- right in August of 2004.</p> <p>5 MR. BROUGHTON: 2003 or 2004?</p> <p>6 THE WITNESS: 2004.</p> <p>7 A. When I left McLane's there, I</p> <p>8 didn't do much of nothing there for a while</p> <p>9 after I left them until I went to Dart.</p> <p>10 Q. Okay. Well, let's talk about when</p> <p>11 you left Dart. And I think we can put it in</p> <p>12 perspective. Do you recall when you left</p> <p>13 Dart?</p> <p>14 A. Yes, sir.</p> <p>15 Q. When was that?</p> <p>16 A. Right at August of 2004.</p> <p>17 Q. All right. So when did you start</p> <p>18 with Dart?</p> <p>19 A. The first -- January of --</p> <p>20 sometime in 2004.</p> <p>21 Q. So you were with them that last</p> <p>22 time for about eight months?</p> <p>23 A. Yes, sir.</p>	<p style="text-align: right;">Page 36</p> <p>1 So we were building our speed back</p> <p>2 up to forty-five mile an hour. And then</p> <p>3 that car in front that went around the first</p> <p>4 car slammed on brakes and there wasn't</p> <p>5 nothing I could do.</p> <p>6 I went into the back of the other</p> <p>7 car. And it was road rage is what we found</p> <p>8 it ended up to be.</p> <p>9 Q. It was road rage between the first</p> <p>10 -- the two cars ahead of you?</p> <p>11 A. Yes.</p> <p>12 Q. And that's why the person ahead</p> <p>13 slammed on the brakes?</p> <p>14 A. Yes, sir.</p> <p>15 Q. Caused --</p> <p>16 A. And after we slammed on brakes and</p> <p>17 I hit the car, he took off.</p> <p>18 Q. Okay.</p> <p>19 A. I went to court in Nashville. And</p> <p>20 everything that happened -- you know, with</p> <p>21 it being road rage, to have it kept off my</p> <p>22 record.</p> <p>23 Q. And what did they decide in</p>



## FREEDOM COURT REPORTING

<p style="text-align: right;">Page 37</p> <p>1 Nashville to do?</p> <p>2 A. It's not supposed to be on my</p> <p>3 record. It was something that I couldn't</p> <p>4 help. Completely unavoidable. The judge</p> <p>5 said it shouldn't have been wrote up like</p> <p>6 that.</p> <p>7 Q. Let me show you what's mark as</p> <p>8 Plaintiff's Exhibit 2 to your deposition.</p> <p>9 (Whereupon, Plaintiff's Exhibit</p> <p>10 No. 2 was marked for identification.)</p> <p>11 A. Yes, sir.</p> <p>12 Q. Is this the -- Did Dart write this</p> <p>13 up?</p> <p>14 A. Yes, sir.</p> <p>15 Q. And what did they do, mail it to</p> <p>16 you?</p> <p>17 A. No. I think they faxed it to</p> <p>18 Scott.</p> <p>19 Q. But you reported it to them;</p> <p>20 right?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Was anybody injured in that</p> <p>23 accident?</p>	<p style="text-align: right;">Page 39</p> <p>1 to; right?</p> <p>2 A. Yes, sir.</p> <p>3 Q. And that was somebody at Dart?</p> <p>4 A. Yes, sir. In the safety</p> <p>5 department.</p> <p>6 Q. Did you have any other accidents</p> <p>7 or infraction or anything while you were at</p> <p>8 Dart?</p> <p>9 A. No, sir.</p> <p>10 Q. Any other tickets or anything?</p> <p>11 A. No, sir.</p> <p>12 Q. Did you leave voluntarily?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Did anyone ask you to leave?</p> <p>15 A. No, sir.</p> <p>16 Q. That was an independent</p> <p>17 contracting situation, also, wasn't it?</p> <p>18 A. Yes, sir.</p> <p>19 Q. What did you do after that?</p> <p>20 A. I came to work at Florida</p> <p>21 Transformer.</p> <p>22 Q. How did you hear about the job at</p> <p>23 Florida Transformer?</p>
<p style="text-align: right;">Page 38</p> <p>1 A. No, sir.</p> <p>2 Q. Did anybody have to be taken to</p> <p>3 the hospital?</p> <p>4 A. No.</p> <p>5 Q. Was any vehicle towed after the</p> <p>6 accident?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Whose vehicle was towed?</p> <p>9 A. The car that I ran into.</p> <p>10 Q. I noticed that on Plaintiff's</p> <p>11 Exhibit 2, it asked whether or not you had</p> <p>12 -- did you take any test after the</p> <p>13 accident. Did you take any?</p> <p>14 A. Supposed -- They didn't tell me I</p> <p>15 had to. I asked them that. They told me</p> <p>16 no, there wasn't any injuries; so I didn't</p> <p>17 have to take -- because that's the first</p> <p>18 question I asked them.</p> <p>19 Q. Okay.</p> <p>20 A. Where did I need to go to do it,</p> <p>21 so, you know, I could follow the federal</p> <p>22 guidelines.</p> <p>23 Q. And they told you you didn't have</p>	<p style="text-align: right;">Page 40</p> <p>1 A. A friend of the family. And I</p> <p>2 came down and --</p> <p>3 Q. Which one was the friend of the</p> <p>4 family?</p> <p>5 A. His name is Mr. Collins.</p> <p>6 Q. Does he work for FTI?</p> <p>7 A. Yes, sir.</p> <p>8 Q. What's Mr. Collins' first name?</p> <p>9 A. I'm trying to think of what his --</p> <p>10 Carl Collins.</p> <p>11 Q. What did he tell you?</p> <p>12 A. He just said that they were</p> <p>13 looking for a driver. I was tired of being</p> <p>14 gone all the time and they was looking for a</p> <p>15 driver and I came down and talked to Scott,</p> <p>16 got application and filled it out.</p> <p>17 Q. What did he tell you would be</p> <p>18 required of you to drive for Florida</p> <p>19 Transformer?</p> <p>20 A. Deliver transformers and deliver</p> <p>21 ones out they refurbishd and bring back some</p> <p>22 to be redone.</p> <p>23 Q. What was the pay arrangement?</p>

10 (Pages 37 to 40)